



U.S. Department of Justice
Office of Information Policy
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Washington, DC 20530-0001

Telephone: (202) 514-3642

Mr. Donald Stone
MuckRock News
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Somerville, MA 02144
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Re: Appeal No. DOJ-AP-2018-008001
Request No. EOUSA-2018-004761
CDT:ADF

VIA: Email

Dear Mr. Stone:

You appealed from the action of the Executive Office for United States Attorneys (EOUSA) on your Freedom of Information Act request for access to "[a]ll DOJ records concerning the DOJ investigation of former USA (MD) Lynne Battaglia . . . involving allegations that Battaglia destroyed evidence and leaked secret grand jury testimony in order to sustain misconduct and criminal allegations against a state trooper."

After carefully considering your appeal, I am affirming, on modified grounds, EOUSA's action on your request. Please be advised that subsequent to your appeal EOUSA conducted a search for responsive records. However, EOUSA could locate no responsive records subject to the FOIA in its files. I have determined that EOUSA's action was correct and that it conducted an adequate, reasonable search for such records.

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the action of EOUSA in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. If you have any questions regarding the

action this Office has taken on your appeal, you may contact this Office's FOIA Public Liaison for your appeal. Specifically, you may speak with the undersigned agency official by calling (202) 514-3642.

Sincerely,

12/11/2018

X 

Sean R. O'Neill

Chief, Administrative Appeals Staff

Signed by: OIP